

REMARKS

Claims 2, 7 and 8 are in the application. Solely to compact prosecution, and without prejudice or disclaimer, the Applicant herewith amends claim 2. Support for the Amendment is found, *inter alia*, in claim 2. Solely to compact prosecution, the Applicant herewith amends the specification to remove hyperlinks (i.e., at pages 13, 34 and 35). Solely to compact prosecution, the Applicant herewith amends Table 1, at page 36 of the specification, to recite SEQ ID Nos. Solely to compact prosecution, without prejudice or disclaimer, the Applicant herewith cancels claims 9-68. The Applicant explicitly reserves the right to pursue any and all cancelled subject matter. No new matter is added. Entry and consideration of the Amendment is respectfully requested.

I. The Specification Is Proper

At page 2 of the Office Action, the Office objects to the specification because it includes an embedded hyperlink. At page 2 of the Office Action, the Office objects to the specification because the amino acid sequences in Table 1 on page 36 lack SEQ ID NOs.

Solely to compact prosecution, the Applicant herewith amends the specification to remove hyperlinks (i.e., at pages 13, 34 and 35) and amend Table 1, at page 36 of the specification, to recite SEQ ID Nos. Additionally, the Applicant hereby amends page 36, at line 16, to add new SEQ ID NO:13. A Substitute Sequence Listing is filed simultaneously herewith.

Withdrawal of the objections to the specification is kindly requested.

II. Claims 2, 7 and 8 Recited Patent Eligible Subject Matter Under 35 U.S.C. §

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/586,852 (Q96012)

At page 3 of the Office Action, the Office rejects claims 2-8 as allegedly being directed to non-statutory subject matter.

Solely to compact prosecution, and without prejudice or disclaimer, the Applicant herewith amends claim 2. The Applicant's Amendment overcomes the rejection. The rejection is moot as to claims 3-6.

Withdrawal of the rejection is kindly requested.

III. Claims 2, 7 and 8 Are Novel Under 35 U.S.C. § 102(b)

At page 3 of the Office Action, the Office rejects claims 2-8 under 35 U.S.C. 102(b) as allegedly being anticipated by US 20030148463.

Solely to compact prosecution, and without prejudice or disclaimer, the Applicant herewith amends claim 2. The phrase is closed ended therefore, the Applicant's invention is not anticipated by US 20030148463, as cited by the Examiner. The rejection is moot as to claims 3-6.

Withdrawal of the rejection is therefore kindly requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The U.S. Patent and Trademark Office is hereby directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880.

Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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